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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. CR02-257-RSL  
09 Plaintiff, )  
10 v. ) SUMMARY REPORT OF U.S.  
11 DOUGLAS M. COX, ) MAGISTRATE JUDGE AS TO  
12 Defendant. ) ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE  
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before  
15 me on April 14, 2009. The United States was represented by AUSA Nicholas Brown and the  
16 defendant by Jennifer Wellman. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about January 28, 2003 by the Honorable Robert S.  
18 Lasnik on a charge of Bank Robbery, and sentenced to 84 months custody, 3 years supervised  
19 release. (Dkt. 25 )

20 The conditions of supervised release included the standard conditions plus the  
21 requirements that defendant cooperate in the collection of DNA, be prohibited from possessing  
22 a firearm, submit to drug testing, submit to search, pay restitution in the amount of \$9,968.15,

01 provide access to financial information, maintain a single checking account for all financial  
02 transactions, disclose all assets and liabilities, and be prohibited from incurring new credit  
03 charges or lines of credit.

04 In an application dated August 13, 2008 (Dkt. 28), U.S. Probation Officer Joe G. Mendez  
05 alleged the following violations of the conditions of supervised release:

06 1. Committing the crime of Robbery in the First Degree in Seattle, Washington, on  
07 or about July 1, 2008, in violation of the general condition that he not commit a federal, state or  
08 local crime.

09 2. Attempting to Elude a Pursuing Police Vehicle, in Seattle, Washington, on or  
10 about July 1, 2008, in violation of the general condition that he not commit a federal, state, or  
11 local crime.

12 3. Associating with persons engaged in criminal activity and associating with any  
13 person convicted of a felony without permission to do so by the probation officer, in violation  
14 of standard condition number nine.

15 The parties agreed that the evidentiary hearing on these allegations be held until the  
16 resolution of related criminal case, CR08-399. (Dkt. 33.)

17 On the date indicated below, following a change of plea hearing on CR08-399, Defendant  
18 was advised in full as to the alleged violations and as to his constitutional rights.

19 Defendant admitted the alleged violations and waived any evidentiary hearing as to  
20 whether they occurred.

21 I therefore recommend the Court find defendant violated his supervised release as  
22 alleged, and that the Court conduct a hearing limited to the issue of disposition. The next

01 hearing will be set before Judge Lasnik, concurrent with sentencing in Case No. CR08-399.

02 Pending a final determination by the Court, defendant has been detained.

03 DATED this 14th day of April, 2009.

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05 Mary Alice Theiler  
06 United States Magistrate Judge

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08 cc: District Judge: Honorable Robert S. Lasnik  
09 AUSA: Nicholas Brown, Andrew Friedman  
10 Defendant's attorney: Jennifer Wellman  
11 Probation officer: Joe G. Mendez  
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